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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE FACEBOOK BIOMETRIC
INFORMATION PRIVACY LITIGATION

THIS DOCUMENT RELATES TO:
ALL ACTIONS

FREDERICK WILLIAM GULLEN, on behalf
of himself and all others similarly situated,

Plaintiff,

v.

FACEBOOK, INC.,

Defendant.

**DECLARATION OF JOHN
NADOLENCO IN SUPPORT OF
FACEBOOK, INC.'S MOTION FOR
SUMMARY JUDGMENT**

Master Docket No.: 3:15-CV-03747-JD

Date: January 25, 2018
Time: 10:00 a.m.
Location: Courtroom 11

Hon. James Donato

Case No. 3:16-cv-00937-JD

1 I, John Nadolenco, under penalty of perjury of the laws of the United States, depose and
2 state as follows:

3 1. I am an attorney licensed to practice before the courts of the State of California
4 and this Court. I am a partner with the law firm of Mayer Brown LLP, counsel for defendant
5 Facebook, Inc. ("Facebook") in the above-captioned matter.

6 2. I make this declaration on my own personal knowledge and, if called upon as a
7 witness to do so, I could and would competently testify as to the matters set forth herein.

8 3. Attached hereto as Exhibit 1 are true and correct copies of excerpts from the
9 deposition of Yaniv Taigman dated October 18, 2016.

10 4. Attached hereto as Exhibit 2 are true and correct copies of excerpts from the
11 deposition of Omry Yadan dated October 26, 2017.

12 5. Attached hereto as Exhibit 3 is a true and correct copy of Facebook's Form 10-Q
13 dated November 2, 2017, publicly available at <https://www.sec.gov/edgar.shtml>.

14 6. Attached hereto as Exhibit 4 is a true and correct copy of an Order dated June 27,
15 2017, filed in *Rivera v. Google Inc.*, No. 16 C 02714 (N.D. Ill.) ("*Rivera* 1292(b) Order").

16 7. Attached hereto as Exhibit 5 is a true and correct copy of a document Bates-
17 numbered GULLEN-000001, produced by plaintiff during discovery in No. 3:16-cv-00937-JD.

18 8. Attached hereto as Exhibit 6 is a true and correct copy of a document Bates-
19 numbered GULLEN-000002, produced by plaintiff during discovery in No. 3:16-cv-00937-JD.

20 9. Attached hereto as Exhibit 7 are true and correct copies of excerpts from the
21 deposition of Frederick William Gullen dated October 25, 2017.

22 I declare under penalty of perjury under the law of the State of California and the United
23 States that the foregoing is true and correct.

24 Executed this 8th day of December, 2017, in Los Angeles, California.

25
26
27 /s/ John Nadolenco
28 John Nadolenco